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**CITY OF BURLINGTON**  
**Committee of the Whole Minutes**  
**Jeannie Hefty, Mayor**  
**Diahnn Halbach, City Clerk**  
**Tuesday, March 5, 2019**

1. **Call to Order - Roll Call**

Mayor Hefty called the Common Council meeting to order at 6:30 p.m. Roll Call - Present: Mayor Hefty, Alderman Susan Kott, Alderman Bob Grandi, Alderman Ryan Heft, Alderman Steve Rauch, Alderman Jon Schultz, Alderman Tom Preusker, Alderman Todd Bauman. Excused: Alderman Theresa Meyer.

Student Representatives - Present: Jack Schoepke (BHS), Morgan Tracy (BHS). Excused: None.

Staff present: Administrator Carina Walters, City Attorney John Bjelajac, Finance Director Steve DeQuaker, Assistant City Administrator/Zoning Administrator Megan Watkins, Public Works Director Peter Riggs, Fire Chief Alan Babe, Police Chief Mark Anderson, Human Resource Manager Jason Corbin, Building Inspector Gregory Guidry and Intern Nick Faust.

2. **Citizen Comments** - There were none.

3. **Approval of the February 20, 2019 Committee of the Whole Meeting Minutes**

Motion: Alderman Kott. Second: Alderman Bauman. With all in favor, the motion carried.

4. **PRESENTATIONS:** There was none.

5. **DISCUSSION:** There was none.

6. **RESOLUTIONS:**

- A. **Resolution 4936(38)** - To approve Task Order Number 108, with Kapur and Associates, for Engineering Services regarding the City of Burlington Municipal Landfill.

Director Riggs explained that the City is required by the DNR to complete regular monitoring and reporting for the closed, municipally owned, landfill located off of Maryland Avenue and that Kapur and Associates have been providing these services for the City of Burlington for many years. Riggs further stated that Task Order 108 provides for the completion of these services for 2019 and 2020, with a cost of \$52,732, which is a 5.8% increase from the 2017-2018 Task Order 101 and that the funding for the 2019 services has been included in the 2019 budget.

Alderman Rauch asked if the monitoring continues in perpetuity or if it will be discontinued if certain readings are eventually met. Riggs responded that the site has been closed for quite some time but would check with the DNR to see if such an opportunity exists.

- B. **Resolution 4938(40)** - To Approve a Task Order Number One with Ayres Associates to Update the Comprehensive Outdoor Recreation Plan.

Director Riggs explained that the CORP is a policy document that provides the vision for the development and maintenance of the City's park system and is critical in securing grant funding. Riggs stated that the CORP was created in 1996 and must be updated every 5 years to stay current and eligible for grant funding. Riggs further stated that the task order provides for contractual services through Ayres and Associates to update the CORP in order to continue securing grant funding for park development.

Alderman Schultz asked what items have been accomplished in the past five years. Riggs responded that many tasks were completed including the Congress Street bathrooms, bleachers, and the Wehmhoff Jucker Park Pavilion, but more still needs to be accomplished, including shoreline restoration and a kayaking launch site which is scheduled for 2019, as well as possibly updating the restroom at Wagner Park.

Alderman Grandi asked that he be notified when this item goes before the Park Board.

- C. **Resolution 4939(41)** - To Approve a Task Order Number Two for Ayres Associates for Design and Construction Management Services for Riverside Park Improvements.

Director Riggs explained that in April 2018, the City had worked with Ayres to secure a Stewardship Grant for improvements to Riverside Park that would consist of replacement of the existing pavilion structure, installation of a canoe/kayak launch, and shoreline stabilization, which were recommended in the 2015-2019 CORP and supported by the Park Board. Riggs further explained that Task Order Number Two with Ayres for Design and Construction Management Services for Riverside Park improvements is the next step of the project.

Alderman Schultz mentioned that the Burlington Rotary Club is considering using their Fall Fundraiser to raise money for the construction of a new kayak launch and suggested contacting Eric Burling, upcoming rotary president, as he has been involved in numerous meetings and has some specific ideas on design. Schultz also wanted to be sure that Ayres reaches out to actual kayak/canoe users to seek their input as to what they prefer when it comes to design and location.

7. **ORDINANCES:**

- A. **Ordinance 2045(11)** - To amend Sections 148-7(A), "Performance standards for construction Sites under one acre" 148-9(E)9, "Permit requirements; application procedures; fees" and 148-10(A)4(h) "Erosion and sediment control plans: statement; amendments" of the Municipal Code of Burlington.

Gregory Governatori, Kapur and Associates, explained that because the City of Burlington is a MS4 permitted community, it is required by the DNR to develop and maintain an erosion control ordinance. Governatori further explained that in 2015 the City received a Storm Water Management planning grant in the amount of \$80,000 to meet the initial permit requirements, which has now been met. In order to receive the final grant reimbursement, the DNR has requested three small changes to the current erosion control ordinance.

8. **MOTIONS:**

- A. **Motion 19-922** - To consider approving a Certificate of Appropriateness for property located at 448 Milwaukee Avenue.

Building Inspector Gregory Guidry explained that according to Chapter 315-42(E)(1), Common Council must approve any alteration including architectural appearance of a structure within the Historic Preservation Overlay (HPO). Guidry explained that although this was approved by the Historic Preservation Committee, the applicant had already painted the building prior to any approvals, but did

use an approved historic color. Guidry further explained that the applicant was under the impression that if the building was painted with an approved historic color, then it did not need to go through the approval process.

Alderman Schultz inquired as to why does an applicant need approval from either HPC or Council if the applicant is using an approved historic color. Administrator Walters responded that if Council so chooses, staff can review and modify the ordinance. Alderman Kott felt that the HPC ensures that the applicant is using an approved historic district paint color and questioned if this is a task that could be handled at City staff level, as she wasn't sure if staff knows what the approved colors are.

B. **Motion 19-923** - To consider approving the 2019 Fireworks Agreement for July 4, 2019 with Five Star Fireworks Co.

Director Megan Watkins stated that the City has worked with Five Star since 2014 and has had no issues. Watkins then presented Five Star's agreement with the City for the 2019 Fourth of July Fireworks and stated that the cost of fireworks and insurance had increased, so in order to stay within the approved budget of \$10,000, they had to make several adjustments to the display, which resulted in about 200 fewer shells. Watkins stated that Five Star feels the less shells should go unnoticed overall.

Alderman Schultz calculated the estimate to be about 25% fewer shells and asked to have that reviewed as he felt it would make a noticeable difference. Schultz also suggested increasing the budget to keep the same number of fireworks. Alderman Grandi suggested staff reach out to Five Star to find out what was actually decreased.

Alderman Preusker wanted more information as to who does Browns Lake's fireworks display and what are their costs.

Alderman Heft asked if quotes were received from any other fireworks companies. Watkins replied that no other company's had been contacted for quotes.

Walters stated that staff would gather more information about the decrease in shells as well as quotes from other firework companies and would present to Council at the next meeting but also cautioned about the tight timeline, stating that 4th of July Fireworks are booked out well in advance.

9. **ADJOURNMENT**

Motion: Alderman Grandi. Second: Alderman Kott. With all in favor, the motion carried and the meeting was adjourned at 7:03 p.m.

Minutes respectfully submitted by:

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Diahnn C. Halbach  
City Clerk  
City of Burlington